

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

New York City District Council of Carpenters
Pension Fund, New York City District Council of
Carpenters Welfare Fund, New York City
District Council of Carpenters Annuity Fund,
and New York City District Council of
Carpenters Apprenticeship, Journeyman
Retraining, Educational and Industry Fund, by
their Trustees, Frank Spencer, Douglas J.
McCarron, John Ballantyne, Paul Tyznar, Paul
O'Brien, Kevin M. O'Callaghan, Catherine
Condon, David Meberg, Bryan Winter, and John
DeLollis,

Plaintiffs,

-against-

Michael Forde, John Greaney, Joseph Olivieri,
Brian Hayes, Michael Mitchell, Finbar O'Neill,
K.A.F.C.I., Michael Brennan, Turbo Enterprises,
Inc., Terence Buckley, Pitcohn Construction
Enterprises, Inc., Gerard McEntee, Pyramid
Associates Construction Corp., James Duffy,
EMB Contracting Corp., Michael Batalias,
Elisavet Batalias, Matthew Kelleher, Brian
Carson, Joseph Ruocco, John Stamberger, and
Michael Vivenzio,

Defendants.

Case No.: 11-CV-5474 (LBS)

RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Defendant EMB Contracting Corp. certifies that Defendant has no corporate parents, affiliates and/or subsidiaries that are publically held.

Dated: February 13, 2012

PECKAR & ABRAMSON, P.C.
Attorneys for Defendants
EMB Contracting Corp., Michael
Batalias and Elisavet Batalias

/s/ Thomas J. Curran

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